

Notice of Allowability

Application No.

09/887,369

Examiner

Robert B. Davis

Applicant(s)

SUMRALL ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 08 July 2004.
2. ☒ The allowed claim(s) is/are 1,3-56,59-62,64-67 and 69.
3. ☒ The drawings filed on 22 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20040731.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Robert B. Davis
Primary Examiner
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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Christopher L. Makay on 30 July 2004.

The application has been amended as follows on the attached sheets.

The amendment to the specification is on page 4.

The claims listing which replaces all previous versions is listed on pages 5-20.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert B. Davis whose telephone number is 571-272-1129. The examiner can normally be reached on Monday-Friday 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda L. Walker can be reached on 571-272-1151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

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Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in dark ink, appearing to be 'R. Davis', with a long horizontal flourish extending to the right.

Robert B. Davis
Primary Examiner
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7/31/04

In the specification the Related Application section has been amended as follows:

RELATED APPLICATION

This present application claims all available benefit, under 35 U.S.C. § 119(e), of U.S. provisional patent application Serial No. 60/214,960 filed June 29, 2000. ~~By this reference, the full disclosure of U.S. provisional patent application Serial No. 60/214,960 is incorporated herein as though now set forth in its entirety.~~

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Claim listing:

Claim 1 (currently amended): An apparatus for manufacturing unitary concrete blocks, comprising:

a form defining a desired shape that holds a volume of composite, the form, comprising:

a bottom assembly,

a wall assembly that seats on the bottom assembly, and

a cap that seats on the wall assembly;

a form loading station that receives composite and delivers the composite to the form;

a station conveyor, whereby the bottom assembly of the form couples with the station conveyor such that the station conveyor conveys the form about the apparatus in a continuous loop;

a curing oven, wherein the station conveyor conveys the composite-filled form from the form loading station through the curing oven, thereby curing the composite into a unitary concrete block; and

a block removal station that, upon delivery of the form from the curing oven via the stationer conveyor, removes the unitary concrete block from the form.

Claim 2 (canceled).

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Claim 3 (previously presented) The apparatus according to claim 1, wherein the wall assembly comprises:

walls; and

mating assemblies that couple the walls, thereby forming the desired shape that is assembled and disassembled.

Claim 4 (original) The apparatus according to claim 3, wherein the walls comprise:

two sidewalls located opposite and parallel to each other; and

two endwalls located opposite and parallel to each other.

Claim 5 (original) The apparatus according to claim 3, further comprising interior walls that divide the form into sections.

Claim 6 (original) The apparatus according to claim 3, further comprising hinges that couple the walls, whereby the walls assemble and disassemble.

Claim 7 (original): The apparatus according to claim 3, wherein each mating assembly comprises:

fixed brackets that attach to a respective wall;

sliding brackets that attach to a corresponding wall and define slots that hingedly attach to a corresponding fixed bracket;

a fixed rod with a hook extending perpendicular from the fixed rod, wherein top and bottom ends of the fixed rod link the fixed brackets;

a sliding rod with a stud and a tab both extending perpendicular from the sliding rod, wherein top and bottom ends of the sliding rod hingedly link the sliding brackets

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through each slot, whereby the sliding rod slides back and forth to assemble and disassemble the wall assembly; and

an engaging rod hingedly connected to the tab of the sliding rod and extending outwardly from the tab.

Claim 8 (original) The apparatus according to claim 3, wherein each mating assembly comprises:

- a first bracket attached to a respective wall;
- a second bracket attached to the same wall as the first bracket;
- a third bracket attached to an adjacent wall;
- a pivot rod pivotally attached to the first bracket;
- a lever pivotally attached to the second bracket;
- a first rod fixedly attached to the third bracket and hingedly attached to the lever;
- a second rod fixedly attached to the pivot rod and hingedly attached to the lever;
- a lever arm fixedly attached to the pivot rod, whereby pivoting the lever arm assembles and disassembles the wall assembly.

Claim 9 (previously presented) The apparatus according to claim 1, further comprising a latch assembly that couples the bottom assembly, the wall assembly, and the cap.

Claim 10 (original) The apparatus according to claim 9, wherein the latch assembly comprises:

- a latch that pivotally attaches to the walls, whereby the latch is adapted to rotate from an engagement position to a release position; and

a latch spring connecting the latch to a respective wall imparting a rotational force on the latch, thereby rotating the latch to the engagement position.

Claim 11 (original) The apparatus according to claim 10, further comprising a locking rod that pivotally connects to the latch, whereby sliding the locking rod back and forth rotates the corresponding latch.

Claim 12 (original) The apparatus according to claim 11, further comprising a locking rod clip that attaches to the wall, whereby the locking rod clip limits the locking rod to one-dimensional motion.

Claim 13 (previously presented) The apparatus according to claim 1, further comprising lifting dowels that allow the form to be lifted.

Claim 14 (previously presented) The apparatus according to claim 1, wherein the cap comprises a plate with shapes extending perpendicular from the plate defining hollow areas within the unitary concrete block.

Claim 15 (original) The apparatus according to claim 14, wherein a base of the shapes slope into a cone shape to allow for easier removal of the cap.

Claim 16 (previously presented) The apparatus according to claim 1, wherein the cap further comprises cap brackets attached to the cap, whereby the cap brackets are adapted for engagement that removes and replaces the cap.

Claim 17 (previously presented) The apparatus according to claim 1, wherein the bottom assembly comprises a base with shapes extending perpendicular from the plate defining hollow areas within the unitary concrete block.

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Claim 18 (previously presented) The apparatus according to claim 1, wherein the bottom assembly includes wheels attached to the bottom of the base, whereby the form engages the station conveyor.

Claim 19 (currently amended) An apparatus for manufacturing unitary concrete blocks, comprising:

- a form defining a desired shape that holds a volume of composite;

- a form loading station that receives composite and delivers the composite to the form, the form loading station, comprising:

- a cap removal/replacement assembly that removes and replaces the cap on the form,

- a screed assembly that receives composite and delivers the composite into the form, and

- a compression assembly that compresses the composite-filled form, thereby sealing the composite therein,

- a station conveyor that conveys the form about the apparatus in a continuous loops;

- a curing oven, wherein the station conveyor conveys the composite-filled form from the form loading station through the curing oven, thereby curing the composite into a unitary concrete block; and

- a block removal station that, upon delivery of the form from the curing oven via the stationer conveyor, removes the unitary concrete block from the form.

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Claim 20 (original) The apparatus according to claim 19, wherein the cap removal/replacement assembly comprises:

- a cap arm;

- a cap cylinder attached to the cap arm, wherein the cap cylinder rotates the cap arm from an engagement position to a retracted position; and

- a catch assembly hingedly attached to the cap arm, whereby the catch assembly rotates between a lifting position and a bypass position.

Claim 21 (original) The apparatus according to claim 20, wherein the catch assembly comprises:

- a catch hingedly attached to the cap arm; and

- a catch spring that pulls the catch to the engagement position.

Claim 22 (original): The apparatus according to claim 20, wherein in the engagement position the cap arm engages the cap.

Claim 23 (original): The apparatus according to claim 20, wherein in the retracted position the cap arm rotates to allow the screed assembly to pass below the cap arm with the removed cap.

Claim 24 (original): The apparatus according to claim 20, wherein in the lifting position the catch supports the cap engaged by the cap arm.

Claim 25 (original): The apparatus according to claim 20, wherein in the bypass position the catch rotates until the catch allows the cap to bypass the catch assembly as the station conveyor moves the form forward.

Claim 26 (original): The apparatus according to claim 19, wherein the screed assembly comprises:

- a screed track extending over the station conveyor;

- a screed box coupled with the screed track;

- a screed cylinder coupled with the screed box, whereby the screed cylinder conveys the screed box along the screed track between a retracted position and a loading position;

- a leveling hopper disposed within the screed box that fills and levels the form with composite;

- and

- a leveling cylinder coupled with the leveling hopper, whereby the leveling cylinder slides the leveling hopper back and forth inside the screed box.

Claim 27 (original): The apparatus according to claim 26, wherein the screed assembly further comprises:

an auger disposed within the leveling hopper that evenly distributes composite into the form; and

a screed motor coupled with the auger, whereby the screed motor rotates the auger.

Claim 28 (original): The apparatus according to claim 26, wherein in the retracted position the screed box allows the cap removal/replacement assembly and compression assembly to engage the form.

Claim 29 (original): The apparatus according to claim 26, wherein in the loading position the screed box is directly over the form.

Claim 30 (original): The apparatus according to claim 19, wherein the compression assembly comprises:

an extension arm;

a compression motor that rotates the extension arm between a bypass position and an engagement position;

a compression arm hingedly attached to the extension arm; and

a compression cylinder that couples to the compression arm, whereby the compression cylinder rotates the compression arm between a compression position and a released position.

Claim 31 (original): The apparatus according to claim 30, wherein the compression assembly further comprises a stabilizer hingedly attached to the compression arm, whereby the stabilizer swivels to produce level contact with the form when the compression arm is rotated to the compression position.

Claim 32 (original): The apparatus according to claim 30, wherein in the engagement position the extension arm causes the compression arm to engage the form.

Claim 33 (original): The apparatus according to claim 30, wherein in the bypass position the extension arm allows the station conveyor to move the form forward bypassing the compression assembly.

Claim 34 (original): The apparatus according to claim 30, wherein in the compression position the compression arm depresses the form until the wall assembly is completely seated on the bottom tube assembly and the cap is completely seated on the wall assembly.

Claim 35 (original): The apparatus according to claim 30, wherein in the released position the compression arm disengages the form.

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Claim 36 (currently amended) An apparatus for manufacturing unitary concrete blocks, comprising:

- a form defining a desired shape that holds a volume of composite;

- a form loading station that receives composite and delivers the composite to the form;

- a station conveyor that conveys the form about the apparatus in a continuous loop, the station conveyor, comprising:

 - a track assembly that conveys the form along straight sections,

 - a turnstile that conveys the form along curved sections, and

 - a guide rail along straight and curved sections that provides a fixed pathway for the conveyance of the form;

- a curing oven, wherein the station conveyor conveys the composite-filled form from the form loading station through the curing oven, thereby curing the composite into a unitary concrete block; and

- a block removal station that, upon delivery of the form from the curing oven via the stationer conveyor, removes the unitary concrete block from the form.

Claim 37 (original) The apparatus according to claim 36, wherein the track assembly comprises:

- a conveyor rod extending the entire length the straight section;

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a conveyor cylinder coupled with the conveyor rod, whereby the conveyor cylinder extends and retracts the conveyor rod; and

a catch assembly attached at appropriate intervals along the conveyor rod, whereby the catch assembly rotates between an engagement position and a bypass position.

Claim 38 (original) The apparatus according to claim 37, further comprising bearings that rigidly attach to the guide rail at appropriate intervals along the conveyor rod, whereby the bearings restrict the conveyor rod to one-dimensional motion parallel with the conveyor cylinder.

Claim 39 (original) The apparatus according to claim 37, further comprising roller pins that attach to the guide rail at appropriate intervals, whereby the roller pins provide support without restricting motion to the conveyor rod.

Claim 40 (original) The apparatus according to claim 37, wherein the catch assembly comprises:

a catch hingedly attached to the conveyor rod;

a catch stop that rigidly attaches to the conveyor rod directly preceding each catch; and

a catch spring that pulls the catch until it abuts the catch stop.

Claim 41 (original) The apparatus according to claim 37, wherein in the engagement position the catch spring pulls the conveyor catch until the conveyor catch abuts the catch stop, whereby the catch assembly engages the form as the conveyor cylinder

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coupled with the conveyor rod advances in the direction of forward motion of the station conveyor.

Claim 42 (original) The apparatus according to claim 36, wherein in the bypass position the conveyor catch rotates until the catch allows the form to bypass the catch assembly as the conveyor cylinder coupled with the conveyor rod moves in the direction opposite of forward motion of the station conveyor.

Claim 43 (previously presented) The apparatus according to claim 1, wherein the station conveyor conveys multiple forms simultaneously to accommodate various production rates.

Claim 44 (currently amended) An apparatus for manufacturing unitary concrete blocks, comprising:

- a form defining a desired shape that holds a volume of composite;

- a form loading station that receives composite and delivers the composite to the form;

- a station conveyor that conveys the form about the apparatus in a continuous loop;

- a curing oven, wherein the station conveyor conveys the composite-filled form from the form loading station through the curing oven, thereby curing the composite into a unitary concrete block; and

- a block removal station that, upon delivery of the form from the curing oven via the stationer conveyor, removes the unitary concrete block from the form, the block removal station, comprising:

a lock assembly that locks the bottom assembly of the form in place,
a bottom release assembly that uncouples the bottom assembly, walls, and cap,
a lift assembly that raises and lowers the wall assembly and cap of the form
between levels,

a wall release and engagement assembly that disassembles and reassembles
the walls, whereby the walls disassemble releasing the unitary concrete block from the
form and the walls reassemble for reuse of the form, and

a swing-arm assembly that removes the unitary concrete block from the block
removal station.

Claim 45 (original) The apparatus according to claim 44, wherein the block removal
station further comprises a dispatch conveyor that receives the unitary concrete block
from the swing-arm assembly and conveys the unitary concrete block from the
apparatus to a desired storage, shipping, or packaging area.

Claim 46 (original) The apparatus according to claim 44, wherein the lock assembly
comprises:

lock cylinders; and

lock fingers hingedly attached to the lock cylinders, whereby the lock cylinders
rotate the lock fingers between a locked position and an unlocked position.

Claim 47 (original): The apparatus according to claim 44, wherein the bottom release assembly comprises:

- a release cylinder; and

- a release clip attached to the release cylinders, whereby the cylinder extends and retracts the release clip between an engagement position and a retracted position.

Claim 48 (original): The apparatus according to claim 44, wherein lift assembly comprises:

- a frame;

- a slide coupled with the frame that travels along the frame, wherein the slide engages the wall assembly and cap;

- a first pulley attached to the frame;

- a second pulley;

- a chain connecting from the slide to the frame wherein the chain runs along the first and second pulleys; and

- a lift cylinder attached to the second pulley, whereby the cylinder extends and retracts the second pulley to convey the slide between a lower level and an upper level.

Claim 49 (original): The apparatus according to claim 44, wherein wall release and engagement assembly comprises:

- a release clip that engages the mating assembly coupling the walls;

- a release cylinder attached to the release clip, whereby the release cylinder extends and retracts to disassemble the walls;

- an engagement clip that engages the mating assembly coupling the walls; and

- an engagement cylinder attached to the engagement clip, whereby the engagement cylinder extends and retracts to assemble the walls.

Claim 50 (original): The apparatus according to claim 44, wherein the swing-arm assembly comprises:

- a swing-arm member;

- a first gear pivotally attached to the swing-arm member;

- a loading arm pivotally attached to the first gear, whereby the loading arm supports the unitary concrete block; and

- a first rotary motor coupled with the swing-arm member, whereby the first rotary motor rotates the swing-arm member between a loading position and an unloading position;

- an unloading post;

- a second gear that engages the first gear when the swing-arm member is in the unloading position; and

- a second rotary motor attached to the unloading post and coupled with the second gear, whereby the second rotary motor rotates the loading arm, between an upright position and a dispatch position via the second gear which is engaged with the first gear.

Claim 51 (original): The apparatus according to claim 50, wherein the loading position comprises a position, whereby the loading arm is extended directly over the station conveyor.

Claim 52 (original): The apparatus according to claim 50, wherein in the unloading position the loading arm is extended directly over the dispatch conveyor.

Claim 53 (original): The apparatus according to claim 50, wherein in the upright position the loading arm supports the unitary concrete block.

Claim 54 (original): The apparatus according to claim 50, wherein in the dispatch position the loading arm delivers the unitary concrete block.

Claim 55 (currently amended): An apparatus for manufacturing unitary concrete blocks, comprising:

- an ingredient metering assembly that receives desired ingredients comprising water, cement, and polystyrene, whereby the ingredient metering assembly meters and delivers appropriate amounts of the desired ingredients to produce a composite;

- a grinder that reduces the size of the polystyrene;

- a sieve that allows only a desired size of reduced polystyrene to be delivered from the grinder to the ingredient metering assembly;

- a mixer that receives the desired ingredients from the ingredient metering assembly, whereby the mixer combines the desired ingredients to produce the composite;

- a form defining a desired shape that holds a volume of composite;

- a form loading station that receives composite from the mixer and delivers the composite to the form;

- a station conveyor that conveys the form about the apparatus in a continuous loop; a curing oven, wherein the station conveyor conveys the composite-filled form from the form loading station through the curing oven, thereby curing the composite into a unitary concrete block; and

- a block removal station that, upon delivery of the form from the curing oven via the stationer conveyor, removes the unitary concrete block from the form.

Claim 56 (original) The apparatus according to claim 55, wherein the grinder comprises:

a coarse grinder that reduces polystyrene into small pieces; and

a fine grinder that receives small pieces of polystyrene from the coarse grinder and reduces the small pieces into even smaller particles.

Claim 57 (canceled).

Claim 58 (canceled).

Claim 59 (previously presented) The apparatus according to claim 55, wherein the ingredient metering assembly comprises:

a hopper that receives and delivers the desired ingredients;

a scale attached to the hopper that measures an amount of the desired ingredients contained in the hopper; and

a computer in communication with the scale and hopper that controls the type and quantity of the desired ingredients the hopper receives and delivers.

Claim 60 (previously presented) The apparatus according to claim 59, further comprising an auger to convey the desired ingredients into the hopper.

Claim 61 (previously presented) The apparatus according to claim 59, further comprising a pump to convey the desired ingredients into the hopper.

Claim 62 (previously presented) The apparatus according to claim 55, further comprising a heater to heat the desired ingredients.

Claim 63 (canceled).

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Claim 64 (previously presented) The apparatus according to claim 55, wherein the ingredient metering assembly receives further desired ingredients comprising a superplasticizer that increases the flowability, delays curing time, and increase the ultimate compressive strength of the resulting composite.

Claim 65 (previously presented) The apparatus according to claim 55, wherein the ingredient metering assembly receives further desired ingredients comprising a water conditioner that increases the hydration hardness of the resulting composite.

Claim 66 (previously presented) The apparatus according to claim 55, wherein the ingredient metering assembly receives further desired ingredients comprising an accelerant that decreases the curing time of the resulting composite.

Claim 67 (previously presented) The apparatus according to claim 62, wherein the heater heats the water to a temperature of at least 150°F.

Claim 68 (canceled).

Claim 69 (currently amended): The apparatus according to claim 55, wherein the mixer further comprises a mixer discharge hopper that stores composite until needed by the form loading station.

Claims 70-81 (canceled).